

to cite the name from Phipps (1774) and this has been followed by nearly all subsequent authors.

It is clear that attribution of the name *maritimus* to Linnaeus (1758) in Opinion 384 was an error. Authors both before (see, for example, Ellerman & Morrison-Scott, 1951) and after (for example, Corbet, 1978 and Wilson & Reeder, 1993) the 1956 ruling have cited Phipps (1774) as the author and date of the name; this practice should be continued and the entry on the Official List should be corrected.

The name *Ursus marinus*, independently proposed by Pallas (1776, p. 691), is a junior synonym of *Ursus maritimus* Phipps, 1774.

References

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Availability of zoological names published in theses

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The Commission Secretariat is frequently asked about the availability of names (and nomenclatural acts, such as the designation of type species) from their publication in theses, and it may be helpful to state the position.

There has never been a provision in the Code to the effect that a name or act cannot be made available from its appearance in a thesis. It follows that if a thesis is 'published' in the sense of the Code (Articles 8 and 9) names and acts in it will be available if the other necessary conditions are met.

However, extremely few theses count as published works, because nearly all fail to meet all the requirements of those Articles. Even if numerous copies are printed these are usually only deposited in prescribed libraries or distributed to colleagues of the author — they are not ‘obtainable, when first issued, free of charge or by purchase’ by the zoological public, and therefore they do not satisfy Article 8.1.3; the subsequent supply of copies in response to individual requests would not satisfy Article 9.7.

Abstracts of theses often appear in works which clearly are published in the sense of the Code; a name could be available from such an abstract but only if qualifying information (e.g. description and typification of the taxon) also appeared in it. This is not usually the case, however, and after 1999 is particularly unlikely in the case of a species since under Article 16.4 a holotype or syntypes must be explicitly fixed to establish the name.

Many theses do contain proposed new names and nomenclatural acts, since these are indispensable for treatment of the subject matter. The author of such a thesis should include in it a disclaimer (Article 8.2) to the effect that the thesis is not to be taken as published for the purposes of zoological nomenclature or within the meaning of the Code. Disclaimers should also be provided by editors of all works which include abstracts of theses so that names and acts are not made available unintentionally. As a corollary of this, people who are aware of new names in theses should take great care not to cite those names in their own publications before the author has made them available.

The recommendations in Appendixes A and B of the Code and those attached to Articles 8 and 9 give further guidance on the publication of new taxonomic names.